

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
FIFTY-NINTH LEGISLATURE

FIFTY-NINTH LEGISLATIVE DAY  
WEDNESDAY, MARCH 5, 2008

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Hilary Alexander, Page.

### Approval of Journal

March 5, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-eighth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 4, 2008

Mr. Speaker:

I transmit herewith **S 1440, S 1442, S 1361**, as amended, **S 1398**, as amended, **S 1420**, as amended, and **S 1414**, as amended, which have passed the Senate.

WOOD, Secretary

**S 1440, S 1442, S 1361**, as amended, **S 1398**, as amended, **S 1420**, as amended, and **S 1414**, as amended, were filed for first reading.

March 4, 2008

Mr. Speaker:

I return herewith **H 538, H 539, H 414, H 492, H 364, H 431, H 353, H 370, H 408**, as amended, **H 376**, as amended, **H 375, H 508, H 443**, and **H 469** which have passed the Senate.

WOOD, Secretary

**H 538, H 539, H 414, H 492, H 364, H 431, H 353, H 370, H 408**, as amended, **H 376**, as amended, **H 375, H 508, H 443**, and **H 469** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 4, 2008

Mr. Speaker:

I return herewith **H 440**, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

**H 440**, as amended in the Senate, was ordered held at the Desk.

Mr. Hagedorn asked unanimous consent that the House concur in the Senate amendments to **H 440**, as amended in the Senate. There being no objection, it was so ordered.

**H 440**, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

### Report of Standing Committees

March 5, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 593, H 594, H 595, H 596**, and **H 597**, and House amendments to **H 541, H 481, H 543, H 363, H 488, S 1370**, and **S 1399**, as amended.

CLARK, Chairman

**H 593** was referred to the Education Committee.

**H 594** was referred to the Revenue and Taxation Committee.

**H 595, H 596**, and **H 597** were filed for second reading.

March 5, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 44, HCR 46, HCR 47**, and **H 537**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **HCR 44, HCR 46, HCR 47**, and **H 537**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 5, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 541**, as amended, **H 481**, as amended, **H 543**, as amended, **H 363**, as amended, and **H 488**, as amended.

CLARK, Chairman

**H 541**, as amended, **H 481**, as amended, **H 543**, as amended, **H 363**, as amended, and **H 488**, as amended, were filed for first reading of engrossed bills.

March 4, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 351, H 366, H 381, H 378, H 385**, as amended, **H 388, H 409, H 429**, and **H 457** to the Governor at 11:55 a.m., as of this date, March 4, 2008.

CLARK, Chairman

March 4, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 6** to the Secretary of State at 1:31 p.m., as of this date, March 4, 2008.

CLARK, Chairman

March 4, 2008

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **SCR 129, S 1403**, as amended, and **S 1428**, and recommend that they do pass.

NONINI, Chairman

**SCR 129, S 1403**, as amended, and **S 1428** were filed for second reading.

March 4, 2008

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 569, H 577**, and **H 579** and recommend that they do pass.

LAKE, Chairman

**H 569, H 577**, and **H 579** were filed for second reading.

March 4, 2008

Mr. Speaker:

We, your COMMITTEE ON ENVIRONMENT, ENERGY, AND TECHNOLOGY, report that we have had under consideration **H 586** and recommend that it do pass.

RAYBOULD, Chairman

**H 586** was filed for second reading.

March 4, 2008

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 565, HCR 52, S 1387, S 1388**, and **S 1390** and recommend that they do pass.

WOOD, Chairman

**H 565, HCR 52, S 1387, S 1388** and **S 1390** were filed for second reading.

March 4, 2008

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE,

report that we have had under consideration **H 512** and recommend that it do pass.

BLOCK, Chairman

**H 512** was filed for second reading.

March 5, 2008

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1410** and recommend that it do pass.

NONINI, Chairman

**S 1410** was filed for second reading.

March 5, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **SCR 132** and recommend that it be referred to the Business Committee.

CLARK, Chairman

**SCR 132** was referred to the Business Committee.

March 3, 2008

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1374** and report it back with amendments attached to be placed on General Orders for consideration.

STEVENSON, Chairman

**S 1374** was placed on General Orders for consideration.

March 4, 2008

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 467** and report it back with amendments attached to be placed on General Orders for consideration.

LAKE, Chairman

**H 467** was placed on General Orders for consideration.

March 4, 2008

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 489** and **H 511** and report them back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

**H 489** and **H 511** were placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

**HOUSE CONCURRENT RESOLUTION NO. 53**

**BY STATE AFFAIRS COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DIVISION OF BUILDING SAFETY RELATING TO RULES GOVERNING PLUMBING SAFETY LICENSING.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Division of Building Safety relating to Rules Governing Plumbing Safety Licensing is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 07.02.05, rules of the Division of Building Safety relating to Rules Governing Plumbing Safety Licensing, adopted as a pending rule under Docket Number 07-0205-0701, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 54**

**BY EDUCATION COMMITTEE**

**A CONCURRENT RESOLUTION**

STATING THE FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE GOVERNOR OF THE STATE OF IDAHO, THROUGH THE IDAHO OFFICE OF ENERGY RESOURCES, TO EXPLORE OPPORTUNITIES FOR THE DEVELOPMENT OF RENEWABLE RESOURCE ENERGY GENERATION ON STATE ENDOWMENT LANDS, ENCOURAGING THE IDAHO STATE BOARD OF LAND COMMISSIONERS TO EXPLORE OPPORTUNITIES FOR THE LEASE OF STATE ENDOWMENT LANDS FOR THE DEVELOPMENT OF RENEWABLE RESOURCE ENERGY GENERATION AND ENCOURAGING THE LEGISLATURE TO PROMOTE DEVELOPMENT OF IDAHO'S RENEWABLE RESOURCES ON STATE ENDOWMENT LANDS AND TO PROVIDE ENABLING AUTHORITY AS WELL AS ECONOMIC INCENTIVES FOR THE PURPOSE OF ENCOURAGING AND STIMULATING PRIVATE SECTOR DEVELOPMENT OF RENEWABLE RESOURCE ENERGY GENERATION TO MAXIMIZE POTENTIAL RETURNS FROM OUR ENDOWMENT LANDS FOR PUBLIC EDUCATION WHILE AT THE SAME TIME PROMOTING RURAL AND URBAN ECONOMIC DEVELOPMENT AND JOB STIMULATION.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Idaho public schools represent a cornerstone of Idaho's future in relation to education, democracy and economic vitality; and

WHEREAS, adequate fiscal resources from multiple sources are important to sustaining Idaho's system of public education; and

WHEREAS, the state of Idaho owns and manages several million acres of land, known as the "trust" or "endowment" lands, granted to it by the federal government for the purpose of financing public institutions, chief among the beneficiaries being the public schools; and

WHEREAS, the original grant of land occurred in 1863 in the Organic Act of the Territory of Idaho which granted to the Idaho Territory sections sixteen and thirty-six of each township for the support of public schools; and

WHEREAS, pursuant to the Constitution of the State of Idaho, the lands are to be managed in such a manner as will secure the maximum long-term financial return to the institution to which granted or to the state if not specifically granted; and

WHEREAS, funding for Idaho's public schools is in part dependent upon the beneficial management and productive utilization of our nearly 2.5 million acres of endowment lands, acres of which are located throughout every county in Idaho; and

WHEREAS, utilizing Idaho's endowment lands to their fullest potential, securing the maximum long-term financial return for our public schools and children while stimulating Idaho's rural and urban areas, may require a new management approach and use of the lands which would simultaneously generate stable funding for public schools and ensure reliable low-cost energy sources for Idaho that protect the environment and promote economic growth; and

WHEREAS, endowment lands can serve as both a source of fiscal resources for public schools and rural economic development because many of Idaho's endowment lands are located in our most rural areas where renewable resource development would promote the economy through job growth and tax revenue stimulation; and

WHEREAS, in addition to traditional uses of grazing, logging and mineral exploration, Idaho's endowment lands are rich with renewable energy resources including wind, sun, geothermal, low impact hydro and biomass sources that should be developed as a means to generate fiscal resources for our public school system and as a means to generate electricity to meet the needs of Idaho's growing population; and

WHEREAS, developing in-state renewable resources on endowment lands would contribute to secure reliable energy by reducing dependence upon remote resources that must be transported over long distances and also contribute to a more secure funding source for Idaho's public education system through the dedicated endowment lands.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Governor of the State of Idaho, through the Idaho Office of Energy Resources, is encouraged to explore opportunities for the development of renewable resource energy generation on state endowment lands.

BE IT FURTHER RESOLVED, that the Idaho State Board of Land Commissioners is encouraged to explore opportunities for the lease of state endowment lands for the development of renewable resource energy generation.

BE IT FURTHER RESOLVED, that the legislature is encouraged to promote development of Idaho's renewable resources on state endowment lands and to provide enabling authority as well as economic incentives for the purpose of

encouraging and stimulating private sector development of renewable resource energy generation to maximize potential returns from our endowment lands for public education while at the same time promoting rural and urban economic development and job stimulation.

**HOUSE CONCURRENT RESOLUTION NO. 55**  
**BY EDUCATION COMMITTEE**  
 A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND URGING THE STATE DEPARTMENT OF EDUCATION TO ADOPT CERTAIN NUTRITIONAL VALUES FOR FOOD AND BEVERAGES SOLD IN VENDING MACHINES IN IDAHO PUBLIC SCHOOLS, AND URGING THE DEPARTMENT TO PROHIBIT THE SALE OF FOODS OF MINIMAL NUTRITIONAL VALUE IN IDAHO PUBLIC SCHOOLS AND TO REQUEST REPORTS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, improving and protecting the health of all Idahoans is a primary issue and is an important goal of the state; and

WHEREAS, some children purchase foods other than the balanced meals provided through the school lunch program and the school breakfast program which consequently undermines the efforts of parents to ensure that their children consume a healthy diet; and

WHEREAS, proper nutrition is critical to a child's growth, development and readiness to learn; and

WHEREAS, healthy eating habits in childhood and adolescence promote optimal childhood health, growth, and intellectual development and prevent health problems, such as iron deficiency anemia, obesity, eating disorders and dental cavities; and may prevent long-term health problems, such as coronary heart disease, cancer and stroke; and

WHEREAS, children who are malnourished or hungry are unable to function optimally in the classroom and are at risk of lower achievement in school; and

WHEREAS, according to the Centers for Disease Control and Prevention, the direct and indirect costs of obesity in the United States are estimated to be \$200 billion annually; and

WHEREAS, experts in nutrition science have found that since 1963, rates of obesity have quadrupled among children ages 6 to 11 years and have tripled among children ages 12 to 19 years; and

WHEREAS, only 2 percent of children eat a healthy diet that is consistent with federal nutrition recommendations and that type 2 diabetes, which is primarily due to poor diet and physical inactivity, is rising rapidly in children; and

WHEREAS, in 1996, children aged 2 to 18 years consumed an average of 118 more calories per day than similar children did in 1978, which is the equivalent of 12 pounds of weight gain annually, if not compensated for through increased physical activity; and

WHEREAS, the regulation of foods sold in vending machines in public schools will reduce the intake of high-calorie foods and beverages of low-nutritional value and may reduce obesity in Idaho youth thereby slowing the advance of chronic diseases in our state's population.

NOW, THEREFORE, BE IT RESOLVED by the members of

the Second Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Idaho Department of Education is urged to adopt the following nutritional values for foods and beverages sold in vending machines in Idaho public schools: Food products should contain: (a) with the exception of packages of nuts, seeds or cheese, a maximum of 3 grams of fat per 100 calories, provided that no items contain as an ingredient any artificial trans fats; (b) a maximum of 400 milligrams of sodium per serving; and (c) a maximum of 35% sugar by weight. Beverages should consist of: (a) drinking water that is not carbonated, sweetened or otherwise flavored; (b) low-fat or skim milk; (c) 100% fruit juice. In addition, schools should not sell beverages containing greater than 5 milligrams of caffeine per ounce or beverages containing herbal additives designed or promoted as producing a stimulative effect. As a consequence of adopting the foregoing nutritional standards, the department should prohibit the availability of foods of minimal nutritional value in vending machines in Idaho public schools.

BE IT FURTHER RESOLVED that each school district in this state is requested to file with the state Department of Education during the annual renewal for the National School Lunch Program a report setting forth information relating to compliance with this resolution by each school within that district. The department is requested to provide the most recent reports to the House of Representatives and the Senate Education Committees each year.

**HOUSE JOINT MEMORIAL NO. 11**  
**BY STATE AFFAIRS COMMITTEE**  
 A JOINT MEMORIAL

TO THE SECRETARY OF THE INTERIOR, THE SECRETARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE, THE CHIEF OF THE U.S. FOREST SERVICE, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-ninth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the U.S. Forest Service was established in 1905 as an agency of the United States Department of Agriculture for the purpose of managing public lands in national forests and grasslands; and

WHEREAS, the Wild and Scenic Rivers Act establishes a National Wild and Scenic Rivers System for the protection of rivers with important scenic, recreational, fish and wildlife, and other values. The act designates specific rivers for inclusion in the system and prescribes the methods and standards by which additional rivers may be added; and

WHEREAS, the Middle Fork of the Clearwater River was included in the Wild and Scenic River System in 1968, authorizing, among other things, the acquisition of easements from private landowners for the protection of the character of the river and its surroundings but was to retain the right for rural agricultural uses, including light ranching and farming operations; and

WHEREAS, there have been instances where the U.S. Forest

Service has initiated litigation against private property owners who hold easements pursuant to the Wild and Scenic Rivers Act relating to their ranching and farming operations without exhausting every effort such as mediation, consultation and coordination.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the U.S. Forest Service to exhaust every effort such as mediation, consultation and coordination with private property owners who hold easements pursuant to the Wild and Scenic Rivers Act, and have operated in good faith under such terms and conditions of said easement, before initiating litigious efforts against such citizens of the State of Idaho.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the Secretary of the Interior, the Secretary of the United States Department of Agriculture, the Chief of the U.S. Forest Service, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HCR 53, HCR 54, HCR 55, and HJM 11** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 598  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE EXECUTIVE OFFICE OF THE GOVERNOR FOR FISCAL YEAR 2009; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 599  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO TAXATION OF PERSONAL PROPERTY; AMENDING SECTION 63-201, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 63-302, IDAHO CODE, TO PROVIDE THAT A TAXPAYER'S LIST OF TAXABLE PERSONAL PROPERTY MAY BE AMENDED TO PERMIT CERTAIN PROPERTY TO BE LISTED OR TO BE REMOVED FROM THE LIST AND TO PROVIDE THAT THE STATEMENT MUST BE FILED ON OR BEFORE THE FOURTH MONDAY IN APRIL 2008; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602KK, IDAHO CODE, TO PROVIDE THAT PERSONAL PROPERTY SHALL BE EXEMPT FROM TAXATION, TO PROVIDE A SCHEDULE FOR PHASE IN, TO PROVIDE DUTIES OF THE STATE CONTROLLER, TO DEFINE THE TERM "TAXABLE VALUE" AND TO PROVIDE DUTIES OF THE STATE TAX COMMISSION; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR

DISTRIBUTION OF SALES TAX MONEYS TO COUNTIES AND OTHER TAXING DISTRICTS FOR REPLACEMENT OF MONEYS FOR PERSONAL PROPERTY TAX REDUCTION; AMENDING SECTIONS 63-510 AND 63-1703, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

**HOUSE BILL NO. 600  
BY APPROPRIATIONS COMMITTEE  
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2009; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 601  
BY STATE AFFAIRS COMMITTEE  
AN ACT**

RELATING TO WEAPONS; AMENDING SECTION 18-3302, IDAHO CODE, TO REVISE THE DEFINITION OF "CONCEALED WEAPON" TO INCLUDE CONDUCTED ENERGY DEVICES; AMENDING SECTION 18-3302A, IDAHO CODE, TO REVISE THE DEFINITION OF "WEAPON" TO INCLUDE CONDUCTED ENERGY DEVICES; AND AMENDING SECTION 18-3302F, IDAHO CODE, TO PROHIBIT POSSESSION OF CONDUCTED ENERGY DEVICES BY MINORS.

**H 598, H 599, H 600 and H 601** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1370**, as amended in the House, by Judiciary and Rules Committee, was read the first time by title and filed for second reading.

**S 1339**, as amended, as amended in the House, by Judiciary and Rules Committee, was read the first time by title and filed for second reading.

**S 1440 and S 1442**, by State Affairs Committee, was read the first time by title and referred to the Transportation and Defense Committee.

**S 1361**, as amended, by Transportation Committee, was read the first time by title and referred to the Transportation and Defense Committee.

**S 1398**, as amended, by Health and Welfare Committee, was read the first time by title and referred to the State Affairs Committee.

**S 1414**, by State Affairs Committee, was read the first time by title and referred to the State Affairs Committee.

**S 1420**, as amended, by Judiciary and Rules Committee, was read the first time by title and referred to the Judiciary, Rules, and Administration Committee.

### First Reading of Engrossed Bills

**H 541**, as amended, by State Affairs Committee, was read the first time by title and filed for second reading.

**H 481**, as amended, by Business Committee, was read the first time by title and filed for second reading.

**H 543**, as amended, by Education Committee, was read the first time by title and filed for second reading.

**H 363**, as amended, by Transportation and Defense Committee, was read the first time by title and filed for second reading.

**H 488**, as amended, by Health and Welfare Committee, was read the first time by title and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

**H 589** and **H 590**, by Appropriations Committee, were read the second time by title and filed for third reading.

**HCR 48**, **H 566**, **H 553**, and **H 554**, by Education Committee, were read the second time by title and filed for third reading.

**H 548** and **H 556**, by State Affairs Committee, were read the second time by title and filed for third reading.

**H 588**, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**S 1253**, **S 1251**, and **S 1257**, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

**S 1344**, as amended, by Health and Welfare Committee, was read the second time by title and filed for third reading.

**H 587**, by Ways and Means Committee, was read the second time by title and filed for third reading.

**S 1350**, by Judiciary and Rules Committee, was read the second time by title and filed for third reading.

**S 1445**, by Finance Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **HCR 49**, **H 572**, **H 573**, **H 574**, **H 575**, **H 561**, **H 562**, **H 448**, **H 449**, **H 450**, **H 547**, and **H 550** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

**HCR 49** was read the third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Schaefer to open debate.

Mrs. Pasley-Stuart asked unanimous consent that, pursuant to Rule 22, discussion of other documents be allowed in debate of **HCR 49**. There being no objection, it was so ordered.

The question being, "Shall **HCR 49** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Bowers, Brackett, Bradford, Chadderdon, Clark, Collins, Crane, Eskridge, Hagedom, Hart, Harwood, Henderson, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Patrick, Raybould, Roberts, Schaefer, Shepherd(02), Shepherd(08), Shirley, Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 51.

NAYS -- Bock, Boe, Chavez, Chew, Durst, Henbest, Jaquet, Killen, King, LeFavour, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Saylor, Shively, Smith(30), Trail. Total -- 19.

Total -- 70.

Whereupon the Speaker declared **HCR 49** adopted and ordered the resolution transmitted to the Senate.

**H 572** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood to open debate.

The question being, "Shall **H 572** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedom, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused--Lake, Schaefer. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 572** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Roberts asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the legislative session. There being no objection, it was so ordered.

**H 573** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 573** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused--Bradford. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 573** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 574** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 574** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hart, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, McGeachin, Moyle, Nonini, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shively, Smith(30), Smith(24), Snodgrass, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total -- 51.

NAYS -- Andrus, Bowers, Bradford, Hagedorn, Harwood, Lake, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Pasley-Stuart, Roberts, Shirley, Stevenson, Thayne, Thomas, Wood(35). Total -- 19.

Total -- 70.

Whereupon the Speaker declared **H 574** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 575** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. LeFavour to open debate.

The question being, "Shall **H 575** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane,

Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 575** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 561** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 561** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bilbao, Black, Block, Bock, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henderson, Killen, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Patrick, Raybould, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 60.

NAYS -- Bell, Boe, Henbest, Jaquet, King, LeFavour, Pasley-Stuart, Pence, Ringo, Smith(30). Total -- 10.

Total -- 70.

Whereupon the Speaker declared **H 561** passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 562** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mortimer to open debate.

The question being, "Shall **H 562** pass?"

Roll call resulted as follows:

AYES -- Andrus, Barrett, Bedke, Bilbao, Black, Block, Bolz, Bowers, Brackett, Bradford, Chadderdon, Clark, Collins, Crane, Hagedorn, Hart, Harwood, Henderson, Lake, Loertscher, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Raybould, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shirley, Shively, Snodgrass, Stevenson, Thomas, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 41.

NAYS -- Bayer, Bell, Bock, Boe, Chavez, Chew, Durst, Eskridge, Henbest, Jaquet, Killen, King, Kren, Labrador, LeFavour, Luker, Pasley-Stuart, Patrick, Pence, Ringo, Ruchti, Shepherd(08), Smith(30), Smith(24), Thayne, Trail, Vander Woude. Total -- 27.

Absent and excused--Anderson, Nonini. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 562** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

**Adjournment**

Mr. Moyle moved that the House adjourn until 10:00 a.m., Thursday, March 6, 2008. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:31 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk